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INITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK	V
TRUSTEES of the MASON TENDERS DISTRICT COUNCIL WELFARE FUND, PENSION FUND, ANNUITY FUND and TRAINING PROGRAM FUND,	X : : : 08 Civ. 4333 (VM) :
Plaintiffs,	: AFFIDAVIT OF DOMINICK : GIAMMONA IN SUPPORT OF
- against -	: PLAINTIFFS' MOTION FOR
FIRST CHOICE CONSTRUCTION SERVICES, INC.,	: JUDGMENT BY DEFAULT : AGAINST DEFENDANT
Defendant.	: : Y
STATE OF NEW YORK) ss.:	X
COUNTY OF NEW YORK)	

Dominick Giammona, being duly sworn, states:

- I am the Manager of the Contributions & Delinquency Department of the Mason Tenders District Council Welfare Fund, Pension Fund, Annuity Fund and Training Program Fund (the "Funds"). I have been employed by the Funds since November 1988, and I am fully familiar with the fact in the above-captioned action.
- 2. The Funds are jointly-administered, multi-employer, labor-management trust funds established and maintained pursuant to various collective bargaining agreements and trust agreements in accordance with section 302(c)(5) and (c)(6) of the Taft-Hartley Act (29 U.S.C. § 186(c)(5) and (c)(6)).
- 3. The Funds are employee benefit plans within the meaning of sections 3(1), 3(2), 3(3) and 502(d)(1) of ERISA (29 U.S.C. §§ 1002(1), (2), (3), and 1132(d)(1)), and multi-

employer plans within the meaning of sections 3(37) and 515 of ERISA (29 U.S.C. §§ 1002(37) and 1145).

- 4. The purpose of the Funds is to provide various fringe benefits to eligible employees on whose behalf employers contribute to the Funds pursuant to collective bargaining agreements between employers in the building and construction industry and the Mason Tenders District Council of Greater New York (the "Union"). The Funds are third-party beneficiaries of the collective bargaining agreements.
- 5. My responsibilities include, among other things, coordination with the Funds' outside independent auditors and legal counsel to ensure that payroll compliance audits of employers' books and records are conducted, as required by the Funds' trust agreements and the collective bargaining agreements executed by individual employers and by employer associations with the Union, and that payments of fringe benefit contributions, dues checkoffs and PAC contributions owed by signatory and bound employers are received and credited.
- 6. The collective bargaining agreements executed by individual employers and by employer associations with the Union require signatory and bound employers to submit reports to the Funds and to pay fringe benefit contributions, dues checkoffs and PAC contributions each month for all hours worked by the employers' employees who perform work within the trade and geographic jurisdictions of the Union.
- 7. Payroll compliance audits of the employers' books and records are conducted in the ordinary course of business of the Funds by outside independent auditors retained by the Funds.
- 8. The purpose of the payroll compliance audits is to verify that signatory and bound employers have fully complied with their reporting and payment obligations and, if they have not, to determine the amount of fringe benefit contributions and/or dues checkoffs and/or PAC contributions that are owed on behalf of the employees who have performed work within the Union's trade and geographic jurisdictions.
- 9. The reports of the payroll compliance audits are maintained by the Funds in the ordinary course of the Funds' business.
- 10. I am familiar with defendant First Choice Construction Services, Inc. ("First Choice").

- 11. First Choice was a member of the Environmental Contractors Association ("ECA), one of the employer associations that has negotiated and executed collective bargaining agreements with the Union. As a member of the ECA, First Choice is bound by the agreement between the Union and the ECA covering the period December 1, 2003 through November 30, 2007 (the "Agreement").
- 12. I am familiar with the terms and conditions of the Agreement, and the type of work covered by the Agreement.
- 13. The mason tender employees of defendant First Choice performed asbestos removal and abatement work in the five boroughs of New York City. This type of work and the location of this work is within the jurisdiction of the Union and is covered by the Agreement.
- 14. The Agreement requires payment of fringe benefit contributions, dues checkoffs and PAC contributions and submission of contribution reports each month for the payroll periods ending during the prior month.
- 15. The Agreement requires First Choice to permit and cooperate in the conduct of audits of its books and records, and also requires First Choice to pay the costs of the audits if it is substantially delinquent in the payment of required fringe benefit contributions. The Agreement defines "substantially delinquent" as any deficiency in the payment of fringe benefit contributions to the Funds in excess of 10% of the fringe benefit contributions paid to the Funds during the period covered by the audit.
- 16. A payroll compliance audit of defendant First Choice's books and records covering the period June 7, 2004 through December 31, 2004 was conducted in or about January 2005 by independent auditors from the accounting firm of Salibello & Broder, LLP (the "Audit").
- 17. The Audit revealed a substantial fringe benefit delinquency, and it was determined that defendant First Choice owed fringe benefit contributions, dues checkoffs, PAC contributions, interest and audit costs in the total amount of \$53,413.26 for the period June 7, 2004 through December 31, 2004.
- 18. The Audit was sent to First Choice with a demand for payment. First Choice did not object to or otherwise dispute the Audit or the total amount due.
- 19. On or about August 9, 2005, the Funds received a 2-party check from one of First Choice's general contractors in the amount of \$40,000.00, payable to First Choice and the

Funds and endorsed by First Choice, in partial payment of the amount due for Audit. As a result of that partial payment, a balance of \$13,413.26 remained due for the Audit.

- 20. Thereafter, a further demand was sent to First Choice for (a) payment of the balance due on the Audit, (b) payment of estimated amounts owed for work performed in 2005, and (c) access to First Choice's books and records in order to conduct an audit for the period January 1, 2005 to date.
- 21. Because First Choice failed to make any payment despite demand therefor, the Funds filed a claim against the \$50,000 surety bond previously provided by First Choice¹ for the balance owed on the Audit and estimated amounts owed (based on shop steward reports) for work performed in 2005.
- 22. First Choice subsequently submitted contribution reports for covered work performed by its mason tender employees for the months of January 2005 through April 2005 and June 2005 through October 2005. Those reports reflected 15,775 hours of covered work performed. True copies of the contribution reports submitted by First Choice for the period January 1, 2005 through October 31, 2005 reflecting the 15,775 hours are attached hereto as Exhibit A.²
- January 1, 2005 through November 30, 2005. The dues checkoff rate and the PAC contribution rate during that same period was \$1.35 and \$.05, respectively. By multiplying the total number of unpaid hours appearing on the contribution reports by these rates, it was determined that defendant First Choice owed \$134,876.25 for fringe benefit contributions and \$22,085.00 for dues checkoffs and PAC contributions for asbestos work performed during the period January 1, 2005 through October 31, 2005.
- 24. On or about April 10, 2006, the Funds received a second 2-party check from one of First Choice's general contractors in the amount of \$50,000.00, payable to First Choice and the Funds and endorsed by First Choice.
- 25. Thereafter, as a result of the Funds' claim against the surety bond, the Funds received a payment of \$50,000.00 from the surety on or about May 17, 2006.

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The Agreement requires employers to post a bond in certain monetary amounts to ensure payment of fringe benefit contributions, dues checkoffs and PAC contributions.

² The attached reports have been partially redacted solely to obscure the social security numbers of the listed employees.

- Consistent with the Funds' practice, the Funds credited those two (2) 26. payments against the outstanding delinquencies, paying the balance of \$13,413.26 remaining due for the Audit and then applying \$86,586.74 towards the amounts due as reflected on the contribution reports. As result of those payments, balances of \$60,106.91 for fringe benefit contributions and \$10,267.60 for dues checkoffs and PAC contributions remained due and owing for the hours reflected on the contribution reports.
- Despite subsequent requests, First Choice did not made any further payments 27. and the Funds have been unable to conduct an audit of First Choice's books and records for the period January 1, 2005 through November 30, 2007 because First Choice has failed to permit access to its books and records.
- 28. Based upon a review of the Funds' records, no payments other than the ones referred to in paragraphs 20, 24 and 25 above have been received from or on behalf of defendant First Choice. Therefore, totals of \$60,106.91 for fringe benefit contributions and \$10,267.60 for dues checkoffs and PAC contributions remain due and owing for the hours reflected on the contribution reports.
- 29. The Funds calculate interest on delinquent fringe benefit contributions from the date those contributions were due until the date they are paid, at the rates provided by 26 U.S.C. section 6621. Using the applicable rates in effect from the dates the fringe benefit contributions were originally due through July 30, 2008, interest in the amount of \$16,178.51 is owed on the delinquent fringe benefit contributions.
- 30. Interest on unpaid dues checkoffs and PAC contributions is calculated at the rate of 9% from the date the dues and PAC were originally due through July 30, 2008, and a total of \$3,382.52 is owed.
- Attached hereto as Exhibit B is a chart setting forth the calculations of all the 31. interest owed.

Dominick Giammona

Sworn to before me this day of July, 2008

Renata Goluch

Notary Public

Case 1:08-cv-04333-VM Document 9-2 Filed 08/08/2008 Page 1 of 19 MASUN TENDERS' DISTRICT COUNCIL TRUST FUNDS 520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196 PERIOD: 1/01/2005 TO 1/31/2005 DATE CODE

EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

		ALL INFORMATION	BELOW MUST BE	FULLY PROVIDED	WITH EACH REPO	ORT • PRINT OR	TYPE	
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First Choice Construction Services Transactions by Payroll Liability Item January 2005

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Page 2

First Choice Construction Services Transactions by Payroll Liability Item

January 2005

Type	Date	Num	Name	Memo	SSN/Tax ID	Payroll Item	Qfy	Amount
Paycheck	1/28/2005	2715	Kepinski, Remigiusz	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2716	Klinov, Oleg	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2697	Klinov, Oleg	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2707	Koguch, Andriy	347 Pearl Street		Mason Tender's Dues	ထု	68.40
Paycheck	1/28/2005	2709	Koguch, Andriy	347 Pearl Street		Mason Tender's Dues	ထု	68.40
Paycheck	1/28/2005	2698	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2711	Kullsh, Stanislau	347 Pearl Street		Mason Tender's Dues	-19	162.45
Paycheck	1/28/2005	2718	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-40	342.00
Paycheck	1/28/2005	2699	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-32	273.60
Paycheck	1/28/2005	2717	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-40	342.00
otal Mason Tender's Dues	inder's Dues						385	3,291.75
4							1,155	3,830.75

TOTAL

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PAGE 1 OF 1 PHONE 212/452-9700
PERIOD: 2/01/2005 TO 2/28/2005

FOR FUND OFFICE USE ONLY	
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<u></u>	EMPLOYER'S REMITTANCE AGREEMENT AND REPORT
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Transactions by Payroll Liability Item February 2005 First Choice Construction Services

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First Choice Construction Services Transactions by Payroll Liability Item February 2005

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	2/25/2005	1013	Lanun, Allaksandr	Lear		Union	-35	43.20
	2/25/2005	1019	Teofil, Stawarz	Pearl		Union	ထု	10.80
	2/11/2005	2727	Tkachev, Mikhail	347 Pearl Street		Union	40	54.00
	2/11/2005	1006	Tkachev, Mikhail	347 Pearl Street		Union	-40	54.00
	2/25/2005	1024	Tkachev Mikhail	Pear		Union	1,00	21.60
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	2/25/2005	1008	Bolkunav, Nikolay	Pear		ender's	-24	205.20
	2/11/2005	2723	Galushko, Vyacheslav	Pearl		Mason Tender's Dues	-16	136.80
	2/11/2005	1002	Galushko, Vyacheslav	Pearl		Tender's	-24	205.20
Paycheck 2/	2/25/2005	1009	Galushko, Vyacheslav	347 Pearl Street		Mason Tender's Dues	ထု	68.40
	2/11/2005	2724	Kepinski, Remiglusz	Pearl		Mason Tender's Dues	-48	410.40
	2/11/2005	1003	Kepinski, Remigiusz	347 Pearl Street		Mason Tender's Dues	-40	342.00
	2/25/2005	1010	Kepinskí, Remigiusz	Pearl		Mason Tender's Dues	-48	410.40
	2/11/2005	2725	Klinov, Oleg	347 Pearl Street		Mason Tender's Dues	-39	333.45
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	2/25/2005	1017	Klinov, Oleg	Pearl		Mason Tender's Dues	-16	136.80
	2/25/2005	1011	Klinov, Oleg	Pearl		Mason Tender's Dues	-48	410.40
	2/11/2005	2726	Kulish, Stanislau	347 Pearl Street		Mason Tender's Dues	-40	342.00
	2/11/2005	2728	Kulish, Stanislau			Mason Tender's Dues	-32	273.60
	2/11/2005	1005	Kulish, Stanislau	Pearl		Mason Tender's Dues	-40	342.00
	2/25/2005	1023	Kulish, Stanislau	Pearl		Mason Tender's Dues	48	410.40
	2/25/2005	1018	Kulish, Stanislau	Pearl		Mason Tender's Dues	-16	136.80
	2/25/2005	1013	Lahun, Aliaksandr	Pearl		Mason Tender's Dues	-32	273.60
	2/25/2005	1019	Teofil, Stawarz			Mason Tender's Dues	φ	68.40
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Paycheck 2	2/25/2005	1024	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-16	136.80
Paycheck 2	2/25/2005	1014	Tkachev, Mikhail	347 Pearl Street		Mason Tender's Dues	-48	410.40
Paycheck 2	2/25/2005	1015	Tsirreschchanka, Andrei	347 Pearl Street		Mason Tender's Dues	-48	410.40
	2/25/2005	1016	Ukhov, Vladimir	347 Pearl Street		Mason Tender's Dues	-24	205.20
Total Mason Tender's Dues	r's Dues						839	7,173.45
TOTAL							2,517	8,348.05
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Case 1:08-cv-04333-VM Document 9-2 Filed 08/08/2008 Page 7 of 19

MASON TENDERS' DISTRICT COUNCIL TRUST FUNDS 520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196 OF 1 PHONE 212/452-9700

PAGE 1 OF 1 PHONE 212/452-9700 PERIOD: 3/01/2005 TO 3/31/2005

FOR FUND OFFICE USE ONLY	
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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE :MPLOYER'S NUMBER 13119 000000000 MPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC MPLOYER'S ADDRESS 38-11 31ST STREET IC NY 11101 TEL.718 784-4488 **OB LOCATION** LIST EACH JOB LOCATION ON A SEPARATE FORM IAME AND ADDRESS OF GENERAL CONTRACTOR 3 THIS THE LAST REPORT ON THIS JOB? YES D NO D IS THIS THE FIRST REPORT ON THIS JOB? YES ... NO ... ATE JOB BEGAN EPORT FOR MONTH/WEEK ENDING. LAST REPORTED PAID PERIOD The undersigned Employer hereby adopts and makes a part hereof the terms and conditions and the agreements printed on the reverse side hereof with the same rice and effect as if fully set forth herein. The person signing this Agreement and Report on behalf of the Employer hereby consents and agrees to be personally bound by at the assume all of the terms and conditions, rights, liabilities and responsibilities of an employer in accordance with the provisions of the Collective Bargaining Agreement prently in force with the Mason Tenders District Council of Greater New York comprised of Local Unions Nos. 78 and 79 with the same force and effect as if fully set forth arein, and he/she warrants and represents that he/she has authority to bind the Employer and the principals or members thereof. The Employer agrees to make all ontributions in accordance therewith in the amount set forth in this Agreement and Report for each hour of employment performed within the trade and geographical risdiction of the District council, and to remit all authorized deductions for dues affol New York Laborers' Political Action Committee ('NYLPAC'') contributions. IGNATURE OF ORPORATE OFFICER OR PARTNER DATE RINT NAME OF SIGNER Tresbert TITLE SOCIAL SECURITY NO AUTHORIZED DUES AUTHORIZED LIST EMPLOYEE'S NAME ALPHABETICALLY HOURS WORKED NYLPAC HOURS MTDC FUNDS WELFARE PENSION ANNUITY **GNY LECET** TRAINING I.A.P. I.A.P RATE BY FUND IDCA/IAF 4.750 1.060 2.000 .040 <u>.500</u> .000 000 NYS LABOR/EMP MTDC FUNDS DUESI IAF DUES HEALTH & SAFETY COOP & EDUC CA/IAP DUES D · 250 .000 RATE BY FUND •050 .050 1.000 .050 .100 .100 12/01/2004 NEW RATE AS OF __ 8.550 TAL RATE X TOTAL HOURS WORKED -> 1.350 ES RATE X AUTHORIZED HOURS WORKED -• 050 LPAC RATE X AUTHORIZED HOURS WORKED -TAL REMITTANCE \$

Case 1:08-cv-04333-VM Document 9-2 Filed 08/08/2008 Page 8 of 19

MASON TENDERS' DISTRICT COUNCIL TRUST FUNDS 520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196 OF 1 PHONE 212/452 9700

PAGE 1 1 OF 1 PHONE 212/452-9700 4/01/2005 TO 4/30/2005 血流流 PERIOD:

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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE MPLOYER'S NUMBER ___ 13119 000000000 MPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC MPLOYER'S ADDRESS 38-11 31ST STREET NY 11101 TEL. 718 784-4488 **DB LOCATION** LIST EACH JOB LOCATION ON A SEPARATE FORM AME AND ADDRESS OF GENERAL CONTRACTOR THIS THE LAST REPORT ON THIS JOB? YES O NO O IS THIS THE FIRST REPORT ON THIS JOB? YES NO D ATE JOB BEGAN EPORT FOR MONTH/WEEK ENDING LAST REPORTED PAID PERIOD The undersigned Employer hereby adopts and makes a part hereof the terms and conditions and the agreements printed on the reverse side hereof with the same roe and effect as if fully set forth herein. The person signing this Agreement and Report on behalf of the Employer hereby consents and agrees to be personally bound by if to assume all of the terms and conditions, rights, itabilities and responsibilities of an employer in accordance with the provisions of the Collective Bargaining Agreement reful, and he/she warrants and represents that he/she has authority to bind the Employer and the principals or members thereof. The Employer agrees to make all risdiction of the District council, and to remit all authorized deductions for due and New York Laborers' Political Action Committee ('NYLPAC'') contributions. GNATURE OF DRPORATE OFFICER OR PARTNER ainte Presipert TINT NAME OF SIGNER ANTINO SOCIAL SECURITY NO AUTHORIZED DUES HOURS LIST EMPLOYEE'S NAME ALPHABETICALLY HOURS WORKED NYLPAC HOURS MTDC FUNDS WELFARE PENSION ANNUITY **GNY LECET** BCA TRAINING I.A.P. I.A.P RATE BY FUND IDCA/IAF 4.750 1.060 2.000 040 500ء .000 .000 000 NYS LABOR/EMP MTDC FUNDS NYSTAROR DUES L IAF DUES HEALTH & SAFETY P.A.C COOP & EDUC CA/IAP DUES D RATE BY FUND .250 .000 .050 .050 1.000 .050 .100 .100 NEW RATE AS OF 12/01/2004 'AL RATE 8.550 X TOTAL HOURS WORKED -> 1.350 IS RATE X AUTHORIZED HOURS WORKED -=\$ PAC RATE • 050 X AUTHORIZED HOURS WORKED -> **=**\$ 'AL REMITTANCE \$

Case 1:08-cv-04333-VM Document 9-2 Filed 08/08/2008 Page 9 of 19

PAGE 1 520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196
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Case 1:08-cv-04333-VM Document 9-2 Filed 08/08/2008 Page 10 of 19

PAGE 1 520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196
PERIOD: 6/01/2005 TO 6/30/2008 212/452-9700

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PERIOD: 7/01/2005 TO 7/31/2005

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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE 000000000 EMPLOYER'S NUMBER _____13119 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC NY 11101 TEL 718 784-4 38-11 31ST STREET EMPLOYER'S ADDRESS_ NU 165th St Jamaica JOB LOCATION_ NAME AND ADDRESS OF GENERAL CONTRACTOR IS THIS THE FIRST REPORT ON THIS JOB? YES [IS THIS THE LAST REPORT ON THIS JOB? YES . NO . DATE JOB BEGAN REPORT FOR MONTH/WEEK ENDING LAST REPORTED PAID PERIOD

The undersigned Employer hereby adopts and makes a part hereof the terms and conditions and the agreements printed on the reverse side hereof with the force and effect as if fully set forth herein. The person signing this Agreement and Report on behalf of the Employer hereby consents and agrees to be personally be force and effect as if fully set forth herein. The person signing this Agreement and Report in accordance with the provisions of the Collective Bargaining Agreemently in force with the Mason Tenders District Council of Greater New York comprised of Local Unions Nos. 78 and 79 with the same force and effect as if fully sherein, and he/she warrants and represents that he/she has authority to bind the Employer and the principals or members thereof. The Employer agrees to nontributions in accordance therewith in the amount set forth in this Agreement and Report for each hour of employment performed within the trade and geographical contributions. LAST REPORTED PAID PERIOD SIGNATURE OF CORPORATE OFFICER OR PARTNER DATE PRINT NAME OF SIGNER AUTHORIZED DUES AUTHORIZI HOURS WORKED LIST EMPLOYEE'S NAME ALPHABETICALLY NYLPAC HOU SOCIAL SECURITY NO. 160 (60 160 Teofil, Stawarz 144 144 144 Tkacher, Mikhail BCA TRAINING GNY LECET MTDC FUNDS WELFARE PENSION ANNUITY I.A.P IDCA/IAF .000 RATE BY FUND .00 .000 060 2 . 000 .040 .500 4.750 NYS LABOR/EMP NYSTABOR DUES P.A.C. DUES L IAF MTDC FUNDS COOP & EDUC. HEALTH & SAFETY CA/IAP 1.000 .100 .050 .050 .050 .250 .000 BATE BY FUND 12/01/2004 NEW RATE AS OF _ =\$ <u>23,050.80</u> X TOTAL HOURS WORKED → 2,696 8.550 TOTAL BATE =\$ 3,639.60 =\$ 134.80 1.350 X AUTHORIZED HOURS WORKED → __ 2,696 DUES RATE X AUTHORIZED HOURS WORKED → 2,696 .050 NYLPAC RATE \$ 26,825.20 TOTAL REMITTANCE

Case 1:08-cv-04333-VM ... Document 9-2 ... Filed 08/08/2008 Page 12 of 19 Filed 08/08/2008 Page 12 of 19 PAGE 1 OF 1 PHONE 212/452-9700 PERIOD: 7/01/2005 TO 7/31/2005 PAGE 1 OF 1 PHONE 212/452-9700 CODE

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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUMBER	13119		0000	0000	00			
EMPLOYER'S NAME FIRS	T CHOICE CON	STRUCTIO	N		,		······································	
SE EMPLOYER'S ADDRESS 38	RVICES, INC -11 31ST STRI	EET	LIC			11101	TEL 71 8	784-4488
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Case 1:08-cv-04333-VM Document 9-2 Filed 08/08/2008 Page 13 of 19

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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

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EMPLOYER'S NAME									
EMPLOYER'S ADDRES	S_3u-11								784-4488
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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

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F	_		7	ov, Alek			125	}	128	128
, recent		Kul	iish, St	anislau			128	3	128	128
. 15		Lal	nun, A	liaksand	<u> </u>		13	6	136	136
-5 \ M**	***************************************	Llo	inos, Ar	1a			8		8	. 8
MTDC FUNDS	WELFA	RE	PENSION	ANNUITY	GNY LECET	TR	RAINING	I,A.P.	7.0.0.1 (7.1	BCA I.A.P.
RATE BY FUND	4.7	50	1.060	2.000	- 040		500	.000	IDCA/IA	.000
MTDC FUNDS	DUES	L	IAF	NYS LABOR HEALTH & SAFETY	NYS LABOR/EMP COOP & EDUC.		DUES	P.A.C.	ECA/IAP	DUES 0
RATE BY FUND	. 2	50	.000	.050	•050	1.	.000	•050	.100	.100
TOTAL RATE DUES RATE NYLPAC RATE TOTAL REMITTANCE	5.550 1.350 .050)	X TOTAL X AUTHORIZE	12/0 L HOURS WORKE D HOURS WORKE D HOURS WORKE	D →			= \$ = \$ = \$		
TOTAL BEING PAROL								O BOOT EUR	00	

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PAGE 1 OF 1 PHONE 212/452-9700 PERIOD: 9/01/2005 TO 9/30/2005

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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

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EMPLOYER'S NUMI	BER	131	19		000	000000			
EMPLOYER'S NAME					NC				
EMPLOYER'S ADDE	38 RESS <u>38</u>	-11	CES, INC 31ST ST	REET	LIC		NY 11	101 TEL. 73	18 784-4488
JOB LOCATION	88-11		05th St	Jama :	ICO, NY	FORM			
NAME AND ADDRE									
IS THIS THE LAST F	REPORT ON	THIS	JOB? YES □	№ □		IS THIS THE	FIRST REPO	ORT ON THIS JOE	3? YES 🗆 NÖ 🖸
DATE JOB BEGAN									
force and effect as if f and to assume all of the currently in force with herein, and he/she w contributions in acco jurisdiction of the Dist	signed Employ fully set forth he terms and o the Mason To arrants and r rdance therev trict council, a	rer here herein. conditi enders eprese vith in nd to r	eby adopts and m The person sign ons, rights, liabili District Council nts that he/she is the amount set the amount set the authorize	takes a part hereo- ing this Agreemen ties and responsit of Greater New Yon as authority to b forth in this Agreed d deductions for d	and Report on behilities of an employer rk comprised of Loc olnd the Employer a ement and Report for ues and New York L	litions and the agri- late of the Employer in accordance we all Unions Nos. 78 and the principals or each hour of er aborers' Political A	sements printer the reby consection the provision and 79 with the or members to the reby ment per Action Committee.	ents and agrees to ns of the Collective e same force and e hereof. The Empic formed within the ee ('NYLPAC'') cor	de hereof with the sam be personally bound be Bargaining Agreemer offect as if fully set fort year agrees to make a trade and geographics tributions.
PRINT NAME OF SI									
SOCIAL SECUR	NTY NO.		LIST EMPLO	YEE'S NAME ALF	PHABETICALLY	HOURS V	VORKED AU	THORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS
		S	ishevsky	y, Yaro	slav	196)	196	196
		Sz	uszkow	<i>J</i> , °		92		92	92
		Ta	pia, M	laria .		8		8	8
	_	Te	ofil, St	awarz		160)	160	160
	-	Tk	achev,	mikhail		252		252	252
		Tsi	areshcho	unka, A	ndrei	216		216	216
	-	We	denc, Jo	un .	www.sa	96		96	96
	-	20	kharov,	. Mykho	14/0	40		40	40
	-	***************************************		J	J				
	_	ndishawan wakabban							
	<u>.</u>				***************************************				
	-	***************************************							
	_								
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				****					··.
MTDC FUNDS	WELFAF	ΙE	PENSION	ANNUITY	GNY LECET	TRAINING	I.A.P.		BCA I.A.P.
RATE BY FUND	4.7	50	1.060	2.000	•040	• 500	•000	.000	•000
MTDC FUNDS	DUESI		IAF	NYS LABOR HEALTH & SAFETY		DUES	P.A.C.	ECA/IAP	DUES D
RATE BY FUND	• 2		•000	.050	•050	1.000	•050	.100	.100
TOTAL RATE DUES RATE NYLPAC RATE	8.550 1.350 .050	NE	X TOTAL	HOURS WORKE	$\begin{array}{c} 01/2004 \\ 0 \rightarrow 5.484 \\ 0 \rightarrow 5.684 \\ 0 \rightarrow 5.684 \end{array}$		=\$ _ =\$ _ =\$ _	48,598.2 7673.40 284.20	0
TOTAL REMITTANCE								56,555.8	80
i		PLE	ASE MAKE CH		LE TO THE MAS		TRUST FUN	DS	

PAGE 1 OF 1 PHONE 212/452-9700 PERIUD: 9/01/2005 TO 9/30/2005

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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

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			N						
Ess38-11	31ST ST	REET						8 784-4488	
18-11 165	5th St.	Jamai IST EACH JOB LOCAT	CG, NY	ORM	······································				
EPORT ON THIS	JOB? YES	ио 🗆		IS THIS T	HE FIRST F	REPORT ON	THIS JOB?	YES NO	
ned Employer he ily set forth hereir terms and condit he Mason Tender rrants and repres fance therewith in ct council, and to	reby adopts and m i. The person sign ions, rights, liabili s District Council ents that he/she i the amount set i remit all authorize	akes a part hereoting this Agreementies and responsibor Greater New Yonas authority to borth in this Agreed deductions for d	the terms and conc t and Report on beh ilities of an employe the comprised of Loc ind the Employer a ment and Report fo ues and New York L	litions and the alf of the Empler in accordance al Unions Nos. nd the principor each hour o aborers' Politic	agreements poyer hereby e with the pro- 78 and 79 wals or member employments and Action Con-	consents and evisions of the ith the same ers thereof. t performed nmittee ('NYI	agrees to be Collective force and eff The Employ within the truPAC") continued.	e personally bound b Bargaining Agreemer ect as if fully set fort er agrees to make a ade and geographic ibutions.	
NER					TITL	E			
			,			AUTHORIZ	ED DUES	AUTHORIZED NYLPAC HOURS	
IA.	smal,	Angel	٤.		<i>φ</i>	16		16	
Bayrak Artur							2	316	
· Bayrak, Viktor								212	
B	avo, m	elva		164	1	164		164	
Ca	lle, Ri	cardo		20)	20		20	
G	otsulyak,	Vasyl		15	λ	152		152	
G	<u>Jasaqui</u>	110, Luis		(e))	60		60	
G	verrero,	Raul		8		8		8	
G	uiracocha	~, Sam	uel	21	216		2	216	
H	usloto, 1	Gustavo		8) 	8		8	
_\J	ichero, ?	Tulio		20	208		8	208	
Jo	ichero, L	Dilliam		19	6	196		196	
Ka	czmarzyk	, Jan		36	}	32		32	
K	nadasevic	ch, Dzm	itry	23	52	23.	2	2}2	
Kh	adasevich	, Siarhe	. J	23	2	232	2	232	
. Ki	selyov, 1	Andrey		22	0	220		220	
WELFARE	PENSION	ANNUITY	GNY LECET	TRAINING	I.A.F	ı	A / 1 A T	BCA I.A.P.	
4.750	1.060	2.000	• 040	•500	•0		•000 A/1AF	• 000	
DUES L	IAF	HEALTH & SAFETY	COOP & EDUC.	DUES		E.C.A		DUES D	
		30/0		1.000		70	•100	.100	
8.550 1.350 .050	X TOTAL X AUTHORIZED	HOURS WORKE	D →			=\$			
						\$			
	FIRST COSERVI SERVI SERVI SESS 38-11 SESS 38	FIRST CHOICE CO SERVICES, INC SERVICES, INC SES 38-11 31ST ST S8-11 165+ St. SOF GENERAL CONTRACTOR EPORT ON THIS JOB? YES D HAWEEK ENDING Indeed Employer hereby adopts and re Ily set forth herein. The person sign is terms and represents that he/she is large threwith in the amount set of council, and to remit all authorize ER OR PARTNER NER TY NO. LIST EMPLO ASMAL, Bayrak, V Bravo, M Calle, Right Guerrero, Guiracaha Hustoto, Tachero, U Kaczmarzyk Khadasevich Kiselyov, M WELFARE PENSION 4.750 1.060 DUES L IAF .250 .000 NEW RATE AS OF X TOTAL X AUTHORIZET X	SERVICES, INC SES 38-11 31ST STREET SE-11 165th St. Jamai. JIST EACH JOB LOCAT SOF GENERAL CONTRACTOR EPORT ON THIS JOB? YES NO HAWEEK ENDING Interpret of the person signing this Agreemen is terms and conditions, rights, liabilities and responsible homes and therewith in the amount set forth in this Agreement the terms and represents that he/she has authority to be lance therewith in the amount set forth in this Agree to council, and to remit all authorized deductions for deen of the person signing this Agreement the Mason Tenders District Council of Greater New Part of The Pa	FIRST CHOICE CONSTRUCTION SERVICES, INC SERVICES,	FIRST CHOICE CONSTRUCTION SERVICES, INC SSS 38-11 31ST STREET LIC STREAM STREAM SAFER FORM STREAM SEPRATE FORM STRING NO STRING NO STRING NO STRING NO SEPRATE FOR	FIRST CHOICE CONSTRUCTION SERVICES, INC SERVICES,	FIRST CHOICE CONSTRUCTION SERVICES, INC NY 11101 188-11 185 ²⁴ Sf. ASTEACH 200 TOCATION ON A SERVICE FORM SOF GENERAL CONTRACTOR EPORT ON THIS JOB? A STEACH 200 TOCATION ON A SERVICE FORM SOF GENERAL CONTRACTOR LAST REPORTED PAID PERIOD IS THIS THE FIRST REPORT ON LAST REPORTED PAID PERIOD LAST REPORT POINT LAST REPOR	FIRST CHOICE CONSTRUCTION SERVICES, TINC SER	

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DYTONIE 313/453 0700	DATE
PAGE 1 OF 1 PHONE 212/452-9700	1
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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT

ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUMB	ER131	19		000	000000				
EMPLOYER'S NAME	FIRST C	HOICE CO	NSTRUCTIO	N					
EMPLOYER'S ADDRI	SERVI ESS <u>38-11</u>	CES, INC 31ST ST	REET	LIČ		NY 111	.01 TEL. 71	8 784-4488	
JOB LOCATION	88-11 11	05th St.	Jawai ST EACH JOB LOCATI	CA NU ION ON A SEPARATE F	FORM		user i producti no del acciono del		
NAME AND ADDRES	S OF GENERAL	CONTRACTOR						4	
IS THIS THE LAST R	EPORT ON THIS	JOB? YES [ИО □		IS THIS THE	FIRST REPOF	RT ON THIS JOB	? YES NO	
DATE JOB BEGAN _									
REPORT FOR MONT The undersigned and effect as if fur and to assume all of the currently in force with herein, and he/she was contributions in accontributions of the Distribution of the Distribution of the Distribution of the Corporate Officorporate Offic	gned Employer her illy set forth herein. e terms and conditi the Mason Tenders rrants and represe dance therewith in ict council, and to r	by adopts and m The person signions, rights, liabilit District Council onts that he/she is the amount set femit all authorize	akes a part hereof ng this Agreement iles and responsibi of Greater New Yor ias authority to bi orth in this Agree d deductions for do	and Report on ben ilities of an employe k comprised of Loc nd the Employer a ment and Report fo ues and New York L	ditions and the agre- half of the Employer or in accordance wi hal Unions Nos. 78 and the principals or each hour of em haborers' Political A	ements printed r hereby consent the provision and 79 with the or members the polyment perfo- action Committe	its and agrees to to s of the Collective same force and ef ereof. The Employ rmed within the t e ('NYLPAC'') conf	bargaining Agreement fect as if fully set forth eer agrees to make al rade and geographica ributions.	
PRINT NAME OF SIG	NER					TITLE			
SOCIAL SECURI	TY NO.	LIST EMPLO	YEE'S NAME ALPI	HABETICALLY	HOURS W	ORKED AUT	HORIZED DUES HOURS	AUTHORIZED NYLPAC HOURS	
	Ko	olesnuk,	Mykola	~	248		248	248	
		rsun, A	dam		96		96	96	
	Ko	zhevnik	cov, Ale	ksandr	248		248	248	
	Ku	ublda,	20		20	20			
	Kc	ulish, s	Stanislau		256	c	256	256	
	Lo	hun, F	Hiaksan	dr	224		224	224	
	m ₋	dvedev	, Vladin	nic	248		248	248	
	mis	thniewc	z, Zbiga	riew	(08		68	68	
	Pa	slavsky	y, Vict	0 r	120)	120	120	
	Pe	movski,	Veselin		108		108	108	
	Sc	inchez,	Freddy	E.	16		16	16	
	S	napovalo	v, Vlad	yslav	240)	240	240	
	3	quencia	-, Carlo	2	16		16	16	
	1 Si	quencia,	Manue		16		16	16	
	150	stamba,	Benign	0	201	8	208	208	
		stamba, (Tulio	***************************************	200)	200	200	
MTDC FUNDS	WELFARE	PENSION	ANNUITY	GNY LECET	TRAINING	I.A.P.	IDCA/IAF	BCA I.A.P.	
RATE BY FUND	4.750	1.060	2.000 NYS LABOR	• 040 NYS LABOR/EMP	•500	•000	•000	•000	
MTDC FUNDS	DUES L . 250	• 000	HEALTH & SAFETY		1.000	P.A.C.	ECA/IAP •100	DUES D	
RATE BY FUND	<u> </u>		12/0	1/2004			1	1	
TOTAL RATE DUES RATE NYLPAC RATE	8.550 1.350 .050	W RATE AS OF X TOTA X AUTHORIZEI X AUTHORIZEI		=\$ =\$ =\$					
TOTAL REMITTANCE				-		* S			
-	PLE	ASE MAKE C		LE TO THE MAS TURN WITH CHE	:CK s	TRUST FUNI	-	SIDE: PROVISIONS	

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520 EIGHTH AVENUE, SUITE 600, NEW YORK, NY 10018-4196

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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUMBER 000000000 EMPLOYER'S NAME FIRST CHOICE CONSTRUCTION SERVICES, INC NY 11101 TEL 718 784-4488 EMPLOYER'S ADDRESS 31 ST Jamaica 88 JOB LOCATION NAME AND ADDRESS OF GENERAL CONTRACTOR IS THIS THE LAST REPORT ON THIS JOB? YES D NO D IS THIS THE FIRST REPORT ON THIS JOB? YES NO NO DATE JOB BEGAN _ REPORT FOR MONTH/WEEK ENDING LAST REPORTED PAID PERIOD The undersigned Employer hereby adopts and makes a part hereof the terms and conditions and the agreements printed on the reverse side hereof with the same force and effect as if fully set forth herein. The person signing this Agreement and Report on behalf of the Employer hereby consents and agrees to be personally bound by and to assume all of the terms and conditions, rights, liabilities and responsibilities of an employer in accordance with the provisions of the Collective Bargaining Agreement currently in force with the Mason Tenders District Council of Greater New York comprised of Local Unions Nos. 78 and 78 with the same force and effect as if fully set forth herein, and he/she warrants and represents that he/she has authority to blind the Employer and the principals or members thereof. The Employer agrees to make all contributions in accordance therewith in the amount set forth in this Agreement and Report for each hour of employment performed within the trade and geographical jurisdiction of the District council, and to remit all authorized deductions for dues and New York Laborers' Political Action Committee ('NYLPAC'') contributions. SIGNATURE OF CORPORATE OFFICER OR PARTNER_ DATE PRINT NAME OF SIGNER TITLE AUTHORIZED DUES AUTHORIZED SOCIAL SECURITY NO. LIST EMPLOYEE'S NAME ALPHABETICALLY HOURS WORKED HOURS NYLPAC HOURS 50 50 50 Mariusz 44 44 44 68 68 68 88 88 88 88 88 40 40 40 40 40 40 kachev, Mik 100 100 100 84 Isiarosh chanka, 84 MTDC FUNDS WELFARE PENSION ANNUITY **GNY LECET** BCA TRAINING I.A.P. DCA/IAF RATE BY FUND 4.750 1.060 2.000 .040 •500 .000 .000 .000 NYS LABOR NYS LABOR/EMP MTDC FUNDS DUEST IAF DUES P.A.C. HEALTH & SAFETY COOP & EDUC DUES_D CA/IAP .250 .000 .050 RATE BY FUND .050 1.000 .050 .100 .100 12/01/2004 NEW RATE AS OF 8.550 TOTAL RATE X TOTAL HOURS WORKED → 1,650 =\$ 14,107.50 1.350 DUES RATE X AUTHORIZED HOURS WORKED → 1,650 2, 227.50 82,50 =\$_ .050 NYLPAC RATE X AUTHORIZED HOURS WORKED → 1,650 **=\$** TOTAL REMITTANCE \$ 16,417.50

PAGE 1 OF 1 PHONE 212/452-9700 PERIOD: 10/01/2005 TO 10/30/2005

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EMPLOYER'S REMITTANCE AGREEMENT AND REPORT ALL INFORMATION BELOW MUST BE FULLY PROVIDED WITH EACH REPORT • PRINT OR TYPE

EMPLOYER'S NUM	BER 13	19		0.0	0000	0000				
EMPLOYER'S NAME	E FIRST (CHOICE CO	NSTRUCTI	ON				·		
EMPLOYER'S ADDR		CES, INC 1 31ST ST		LIC			NY 1	1101	TEL.718	784-4488
JOB LOCATION	88-11	65th (MUICA, HI	4					
NAME AND ADDRE	SS OF GENERAL	. CONTRACTOR		ATTOM ON A SET MICK	L-t Onim			***************************************		
IS THIS THE LAST F	REPORT ON THIS	SJOB? YES [) NO []		1	IS THIS TH	E FIRST RE	PORT ON	THIS JOB?	YES NO
DATE JOB BEGAN										
REPORT FOR MON The unders force and effect as if f and to assume all of the currently in force with herein, and he/she w. contributions in accol jurisdiction of the Dist SIGNATURE OF CORPORATE OFFICE	igned Employer he ully set forth herel ne terms and condi the Mason Tendel arrants and repres rdance therewith i rict council, and to	reby adopts and in. The person sig tions, rights, liable s District Council ents that he/she in the amount set remit all authoriz	makes a part hereining this Agreeme lities and responsi of Greater New Yhas authority to forth in this Agreed deductions for	nt and Report on bibilities of an emplo ork comprised of Libind the Employed bind the Employed bement and Report dues and New York	endition: ehalf of over in a ocal Un r and th for eac k Labore	s and the ag the Employ accordance valons Nos. 78 he principals th hour of e ers' Political	reements prir er hereby con vith the provid 3 and 79 with 6 or members mployment p Action Comm	nsents and a sions of the the same fo s thereof. To performed w nittee ('NYLF	agrees to be Collective B prce and effe he Employe vithin the tra PAC") contri	argaining Agreemer ct as if fully set fort r agrees to make a de and geographics butlons.
PRINT NAME OF SIG	GNER						TITLE			
SOCIAL SECUR	ITY NO.	LIST EMPL	OYEE'S NAME AL	PHABETICALLY		HOURS	WORKED A	AUTHORIZE HOUF		AUTHORIZED NYLPAC HOURS
	12	ayrak,		100		100)	100		
	P	olkunav	, Niko	lay		12		13		12
	LB	ravo, N		90		90		90		
	G	otsulyal	c, Vasu	1		44		44		44
	G	airacoc	ha Sai	nuel		84		84		84
	J	achero,	Julio		86		86		86	
	L.	achero,		84		84		84		
	K	nadasevi	ch, Dzm	itry		76		76		76
	KI	radusevic	h, Siark	iei		76		76		76
	Ki	selyov,	Andrey		68			68		68
	Kc	olesnyk,	mykola			12		12		12
	Ko	Ozhevnikov, Akksandr				28		28		28
	K	ubida,	Sergiy			48		48		48
	Kı	ulish,	Stanisla	iu						108
	La	hun, A	liaksand			56		56		56
	m	edvedev	. Vladmi			76		76		76
MTDC FUNDS	WELFARE	PENSION	YTIUNNA	GNY LECET	TR	AINING	I.A.P.			BCA I.A.P.
RATE BY FUND	4.750	1.060	2,000	•040		500	•000		/IAF	•000
MTDC FUNDS	DUESL •250	IAF • 000	NYS LABOR HEALTH & SAFETY		L	DUES	P.A.C.	ECA/		UES D
RATE BY FUND	• • • • •	• • • • • • • • • • • • • • • • • • • •	•050	.050	L .	000	•050	•	100	•100
TOTAL RATE DUES RATE NYLPAC RATE	8.550 1.350 .050	X AUTHORIZED	12/0 HOURS WORKE HOURS WORKE HOURS WORKE	D →			= \$ = \$ = \$			
TOTAL REMITTANCE	PLE	ASE MAKE CH	HECKS PAYAB	LE TO THE MA	SON T	ENDERS	\$ TRUST FU	NDS		

PLAINTIFFS' INTEREST CALCULATIONS

January 1, 2005 through October 31, 2005 Contribution Reports

Hours Worked per Contribution Reports				Benefits Owed			Dues/PAC Owed						
January 2005 February 2005		385 839			\$ \$		91.75 73.45		\$ \$		39.(74 e		
•						7,1				1,1/	,174.60		
March 2005		0							\$ 0.00				
April 2005		0			\$		0.00		\$		0.0		
June 2005		2,045			\$,	84.75			2,86			
July 2005		2,696			\$	23,05	50.80		\$	3,77	<i>1</i> 4.4	40	
August 2005		2,476			\$	21,16	69.80		\$	3,46	56.4	40	
September 2005		5,684			\$	48,59	98.20		\$	7,95	57.6	50	
October 2005		1,650			\$	14,10	07.50		\$	2,31	0.0	<u>)0</u>	
		15,775			\$	134,87	76.25		\$ 2	22,08	35.0	00	
		,				ŕ				,			
	<u>B</u>	enefits Owed	<u>l</u> x	Days Late	/365	<u>5</u> x	Intere	est Rat	<u>te</u> =	Ξ	<u>Int</u>	terest Owed	
2/15/05-3/14/05	\$	3,291.75		28/3	65			.05			\$	12.63	
3/15/05-3/31/05	\$	10,465.20		17/3				.05			\$	24.37	
4/1/05-7/14/05	\$	10,465.20		105/3				.06			\$	180.63	
7/15/05-8/14/05	\$	27,949.95		31/3				.06			\$	142.43	
8/15/05-9/14/05	\$	51,000.75		31/3				.06			\$	259.89	
9/15/05-9/30/05	\$	72,170.55		16/3				.06			\$	189.82	
10/1/05-10/14/05	\$	72,170.55		14/3				.07			\$	193.77	
10/15/05-11/14/05		120,768.75		31/3				.07			\$	718.00	
11/15/05-4/9/06		134,876.25		146/3				.07				3,776.54	
11/15/05 4/5/00	Ψ	134,070.23		140/3	03			.07			Ψ	3,770.34	
(less part payment	\$	31,438.94	receiv	ved 4/10/0	6)								
4/10/06-5/16/06	\$	103,437.31		37/3	65			.07			\$	733.98	
(less part payment	\$	43,330.40	receiv	ved 5/17/0	6)								
5/17/06-6/30/06	\$	60,106.91		45/3	65			.07			\$	518.73	
7/1/06-12/31/07	\$	60,106.91		549/3				.08				7,232.59	
1/1/08-3/31/08	\$	60,106.91		91/3				.07				1,048.99	
4/1/08-6/30/08	\$	60,106.91		91/3				.06			\$	899.13	
7/1/08-7/30/08	\$	60,106.91		30/3				.05			\$	247.01	
,, 1,00 1,50,00	Ψ	50,100.71		50/5	33			.00			Ψ	<u>= 17.01</u>	

Total - \$16,178.51

	D	ues & PAC	Owed	x Days Late/365	x <u>Interest</u>	Rate =	<u>Int</u>	erest Owed
2/15/05-3/14/05	\$	539.00		28/365	.09		\$	3.72
3/15/05-7/14/05	\$	1,713.60		122/365	.09		\$	51.55
7/15/05-8/14/05	\$	4,576.60		31/365	.09		\$	34.98
8/15/05-9/14/05	\$	8,351.00		31/365	.09		\$	63.83
9/15/05-10/14/05	\$	11,817.40		30/365	.09		\$	87.42
10/15/05-11/14/05	\$	19,775.00		31/365	.09		\$	151.16
11/15/05-4/9/06	\$	22,085.00		146/365	.09		\$	795.06
(less part payment	\$	5,147.80	receiv	red 4/10/06)				
4/10/06-5/16/06	\$	16,937.20		37/365	.09		\$	154.22
(less part payment	\$	6,669.60	receiv	red 5/17/06)				
5/17/06-7/30/08	\$	10,267.60		806/365	.09		\$ 2	2,040.58
						Total -	\$.	3,382.52

INTEREST OWED (through 7/30/08) ON FRINGE BENEFITS: \$ 16,178.51

INTEREST OWED (through 7/30/08) ON DUES & PAC: \$ 3,382.52